

## **Chapter 2**

# **Battlefield Contracting Structure**

*"The work of an organization is never done, and the structure has to be continually adapted to new and anticipated conditions."*

Ralph J. Cordiner

## **SECTION I**

### **MISSION, ORGANIZATION, FUNCTIONS, AND LOCATION**

#### **OVERVIEW**

The number and type of contingency contracting organizations can vary in a theater, depending upon the type of operation being conducted and the mix of forces involved. When establishing a theater contracting structure, the CINC is the key in determining how contracting support is handled. In a joint environment, the CINC designates one lead Service as Executive Agent to plan and head both contracting and finance functions for the theater. The Army may or may not be the lead service in managing and controlling contracting support; it may have a supporting role where its contracting resources are subordinate to another service or a joint activity that controls contracting for the theater. Regardless of how contracting support is managed in a theater, there is a structure in place at the various levels to execute the contracting functions necessary to support a force. Figure 2-1 describes this structure. These principles apply to missions across the operational spectrum, to all sizes and types of Army forces, and to locations worldwide.

#### **COMBAT SERVICE SUPPORT RESPONSIBILITIES**

The ASCC commands and controls all Army forces in the assigned geographic area. The CINC may direct the ASCC to provide common items to other Services within the AO. In addition to meeting its own requirements, the Army is usually designated as executive agent for supporting other Services with inland surface transportation, construction support, rations, fuel distribution, medical supplies, veterinary services, water, barrier materiel, mortuary affairs, and common munitions.

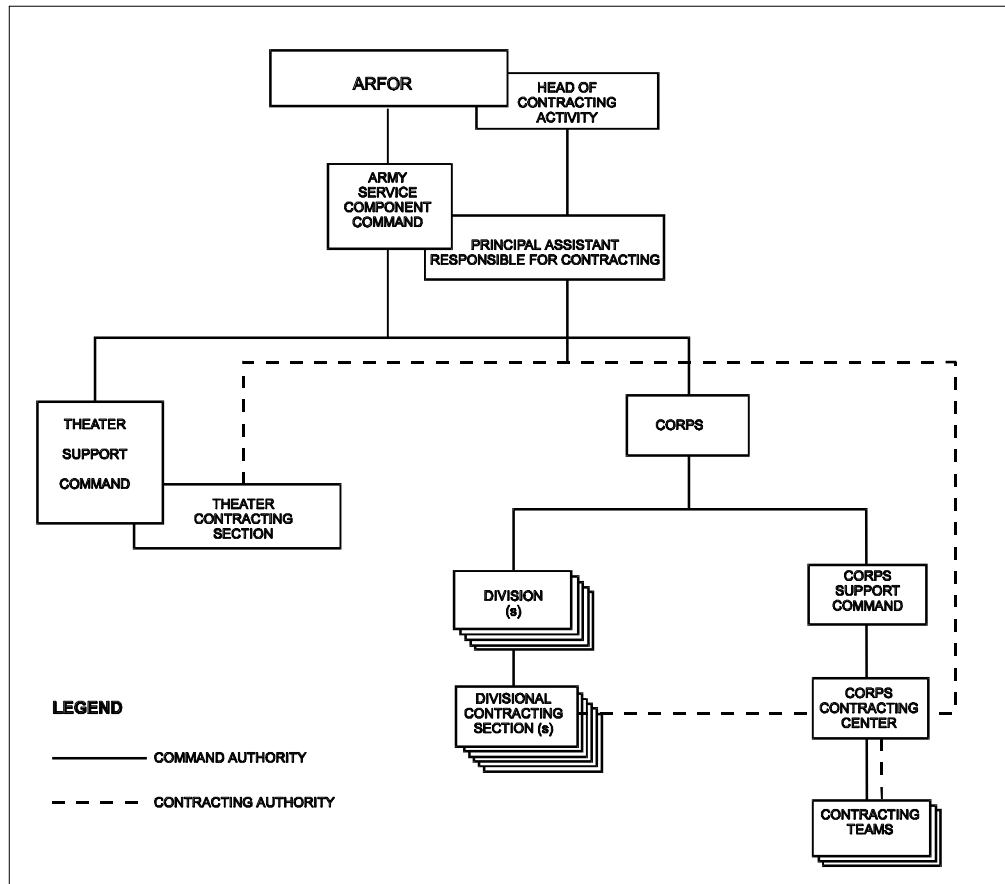


Figure 2-1. Army Theater Contracting Structure

While CSS is a Service responsibility, a combatant/joint task force (JTF) commander may designate a Service, usually the most capable Service, to provide common item/service support for an entire theater (see Joint Pub 4.07). The Army component of a joint force is normally required to provide CSS to other Service components and it may be tasked to provide specific support to allied commands or to the HN. The ASCC arranges and coordinates--

- The expansion and operation of the wartime LOC.
- The reception, equipping, preparation, and transportation of Army forces.
- Development, acquisition, operation, and maintenance of operational and support facilities.

## **ROLE IN CONTRACTING**

The ASCC plays a key role in contingency contracting, and in most circumstances is the senior contracting authority for the Army for the theater. Through appointment by the ASA(ALT), the ASCC (or his deputy) is designated the Army's HCA for the theater. In this capacity he manages and conducts acquisition to accomplish the mission; acquires supplies, equipment, and services by contract; provides overall guidance concerning contracting; and acts as the approving authority for contracting actions in the theater. As the HCA, he appoints a contracting professional called the PARC, who assumes all responsibilities delegated by the HCA, and who oversees the operational activities of the theater contracting organization. The Army's PARC and PARC staff are organic to the Army Service Component Command. When the ASCC is designated Executive Agent for contracting, contracting personnel from all Services operate under the contracting support plan authored by the PARC.

## **ECHELONS ABOVE CORPS**

The theater support base is located at EAC/COMMZ (see Figure 2-2). This is the level where operational logistics take place and where interfaces with the strategic and tactical levels are made. Logistical support at the operational level is managed and coordinated through the senior logistics element, normally the TSC. The TSC contains a contracting directorate in its table of organization and equipment (TOE), which performs the functions of the theater contracting section when required by the PARC's contracting support plan. The chief of this directorate, normally the senior Army contracting officer in the theater, serves as theater contracting chief under the procurement authority of the PARC. Using the contracting support plan, the PARC organizes available Army contracting personnel operating within theater in accordance with METT-TC to support the ASCC's concept of operations and concept of support.

## **THEATER FORCE OPENING PACKAGE/EARLY ENTRY MODULE**

Deployment of US forces requires an in-theater logistics infrastructure that can execute RSO&I operations and sustain the forces. To satisfy this need, the Army developed the theater force opening package (TFOP). The TFOP is modular in nature and allows for sending to a theater only those capabilities needed for a particular mission, typically including transportation, supply, contracting, legal, finance, property book, resource management, engineer, and medical modules. The doctrinal mission of the TFOP is to deploy early to support force projection by establishing physical, resource, communications, and automation networks necessary for effective and efficient operation of the theater logistics system. Both the Army Service Component Command and the TSC structures include EEM, augmented as required to comprise a TFOP.

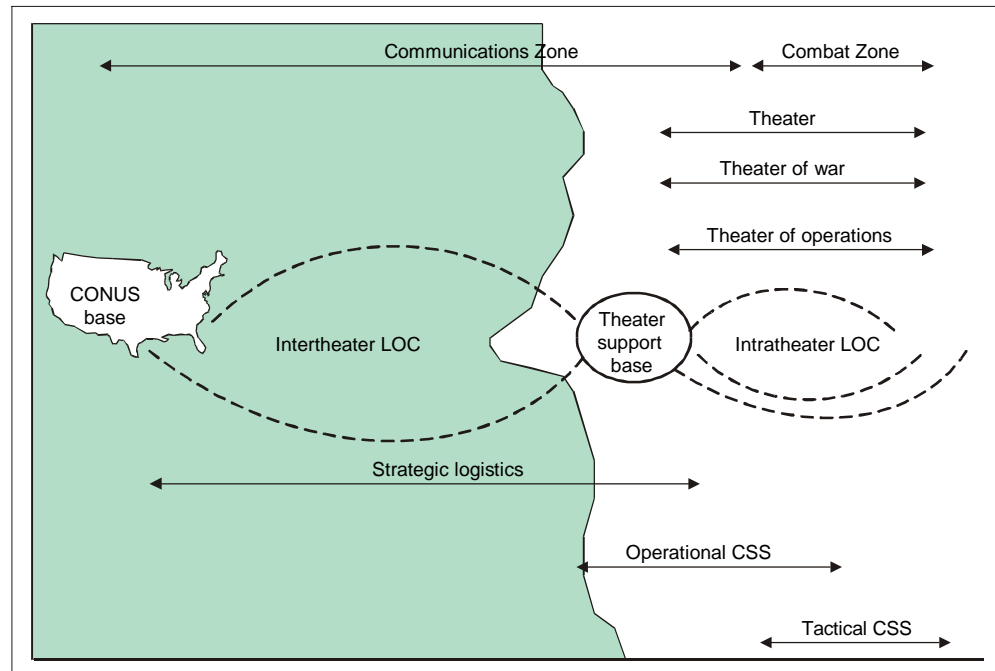


Figure 2-2. The National Theater Logistics System

### Mission

The mission of the contracting EEM, sometimes referred to as a forward area support team (FAST), is to place adequate resources in the operational area as early in a deployment as possible to establish an operating contracting activity. This contracting activity must be able to provide support when the first troops arrive, and to contract for the supplies and services needed when the main force arrives. Commanders must ensure that contracting, with finance, RMO, legal and PBO personnel deploy among the first elements into the mission area.

### Composition

A contracting support EEM has no fixed organization. In addition to contracting officers, it generally contains legal, finance, and resource management personnel to handle the entire range of actions involved in awarding contracts. Linguists and other support personnel may be added. The contracting EEM establishes operations with or near the local vendor base. Their initial contracts are to fulfill requirements for office and living space, transportation, communications, and support personnel.

The size of the module depends on the extent of the operation and the size of the deploying force. Normally, module personnel are drawn from the contracting elements assigned to the forces involved, and fall under the operational control of the senior contracting organization in the theater.

## **ARMY SERVICE COMPONENT COMMANDER**

The ASCC prepares, trains, equips, and provides CSS to Army forces assigned to unified or specified commands. He conducts Army operations to support the CINC's objectives. When designated as the HCA, the ASCC is responsible for the theater contracting management functions.

The Army restructured theater Army headquarters to form Army Service Component Commands to replace the ad hoc arrangements previously used to support ASCC in Joint theaters. The ASCC staff provides planning and policy for deployed Army forces. Contracting personnel organic to the Army Service Component Command include the PARC and the PARC staff. The PARC, who works directly with the ASCC in his role as the HCA, plans and manages all Army contingency contracting activities in-theater. This plan, the Army's theater contracting support plan published as an appendix to the logistics annex to the OPLAN or OPORD, governs all Army contingency contracting personnel throughout the theater. While the PARC staff retains the capability to perform limited contracting functions, their primary role is establishing and administering Army theater contracting plans and policies, and management of the ASCC's contracting mission.

## **THEATER SUPPORT COMMAND**

The TSC is a multifunctional organization that centralizes the command, control, and supervision of support functions at the operational level. It is normally the senior Army logistics organization in a theater (Figure 2-3). The TSC synchronizes logistics and support operations. It provides area support to operational level units and sustainment support to the tactical level. It plans for and directs the provision of support to Army and other forces. This support includes supply, contracting, maintenance, transportation, field services, property disposal, health services, civil-military operations, finance support, and personnel and administrative support, as directed by the ASCC or Army forces (ARFOR) commander. The TSC headquarters EEM normally acts as the command and control element of the TFOP. The Logistics Support Element (LSE), an organization deployed by the USAMC to help commanders manage USAMC contractors, works as part of the TSC. A key mission of the TSC is to perform theater contracting and local procurement.

At this level, the Engineer Command (ENCOM) advises the commander on engineer support contracting. The TSC provides support through a number of functional and multifunctional units, such as area support groups (ASGs). ASGs provide support, including contracting support, to units and activities on a geographical area basis.

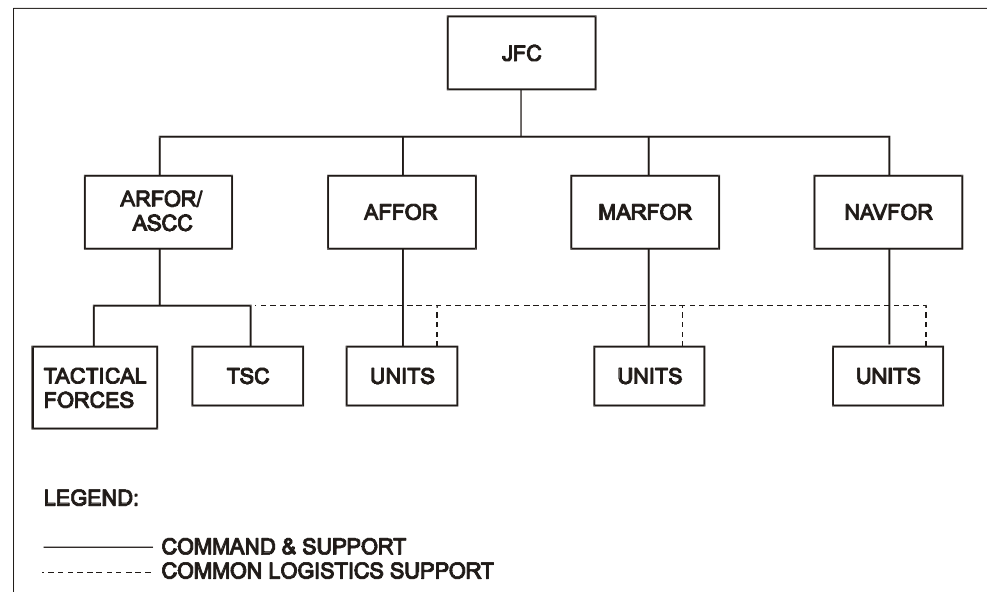


Figure 2-3. TSC Command Relationships

## Mission

The Contracting Directorate is located in the TSC headquarters and provides contracting services to include contracting with host nation (HN) vendors, evaluates contract performance, and coordinates the receipt of supplies and services from vendors. The directorate works directly with the PARC, located in the Army Service Component Command, to achieve the theater contracting objectives and to adhere to the priorities established by the HCA. The directorate forms the nucleus for the theater contracting organization, procuring any commodities the PARC restricts to that level due to its scarcity or mission-criticality. The TSC Contracting Directorate coordinates contingency contracting with the ASCC G4, the LSE, LOGCAP, the ASCC G5, and the HNS Directorate, which plans for and manages host nation support. ASGs, if present, provide contracting support to units within its area of responsibility and to corps support groups (CSGs) on a backup basis, in compliance with the PARC's contracting support plan.

## Contracting Structure

The PARC within the Army Service Component Command plans and manages all Army contracting originating in the theater. The TSC Contracting Directorate forms the Army's theater contracting office. The chief of the TSC contracting directorate, the Army's senior contracting officer in the theater, heads the Army's theater contingency contracting operations. The PARC structures contracting operations within theater, consolidating contracting functions while exercising functional control of contracting personnel from other organizations, such as the USACE, with separate and distinct contracting authority. The PARC may consolidate contingency contracting personnel, or

distribute them with their parent units as area procurement offices subordinate to him, based on METT-TC. Specialized contracting personnel, such as those from the USACE, USAMC or Defense Contract Management Command (DCMC), operate with procurement authority from their commands. These personnel support ASCC staff sections, such as the USACE Contingency Real Estate Support Team (CREST) which provides real estate and real property acquisition support to the ASCC Engineer, or LOGCAP supporting the G4. These ASCC staff agencies coordinate the contracting actions of their commands in-theater with the PARC through the ARB to avoid competing with other US units for the same goods or services. Contracting support provided by the TSC is accomplished through either the contracting directorate in the TSC headquarters, under the Deputy Commander for Support Operations, or a contracting element in a subordinate ASG. The TSC headquarters contracting directorate performs its mission through a staff of contracting officers, and procurement, legal, and administrative specialists. The head of the TSC contracting directorate may also be delegated chief of contracting authorities by the PARC when the ASCC doesn't deploy to support a limited mission. The ASG provides its contracting support through an element located within the headquarters support operations directorate.

### **Location of Contracting Elements**

The TSC contracting directorate locates with the vendor base and in proximity to the other TSC headquarters elements, in the theater base in the COMMZ in accordance with the contracting support plan. Contracting officers and other support personnel of the TSC, corps, divisions and the ASG locate where the PARC and subordinate level contracting chiefs direct in their respective contracting support plans.

### **LOGISTICS SUPPORT ELEMENT**

The LSE, a subordinate element of the USAMC, serves within the TSC, either assigned or attached, as the focal point for all USAMC activities in a theater. USAMC fields three theater oriented LSEs: LSE-Europe, LSE-Far East and LSE-CONUS, with responsibility to support the Central Command (CENTCOM) and Southern Command (SOUTHCOM). USAMC augments LSE as required with organic military personnel, DA civilians and contractor personnel. The LSE retains administrative control of these attached contractors, coordinating their life support, transportation and force protection with the TSC. The LSE maintains direct lines of communication to contracting officers assigned to USAMC's major subordinate commands (MSCs) to modify their contracts as required. The LSE fully integrates contractors into their structure. The LSE does not directly manage the LOGCAP contract or contractors in the area of operations. USAMC LOGCAP PM deploys a Team LOGCAP Forward, which falls under the LSE to manage the use of LOGCAP contractor efforts in support of the deployed force. The LOGCAP Procuring Contracting Officer (PCO) or designated representative deploys as a member of this team. FM 63-11,

*Logistics Support Element*, describes LSE organization and functions in greater detail.

### **Mission**

Management teams from USAMC's MSCs provide on-site control of weapon systems contractors and fully integrate contractors into the LSE structure. The LOGCAP Program Manager deploys a management team to coordinate, together with the Defense Contract Management Command, International (DCMCI), LOGCAP support for the commander, as stipulated in the PARC's contracting appendix to the OPLAN or OPORD. The PARC, LOGCAP PM and DCMCI ensure this contracting support plan integrates theater contingency contracting with LOGCAP to ensure seamless, cost-effective support for deployed forces. TSC contracting personnel procure supplies and services to support the LSE mission requirements.

### **Contracting Structure**

USAMC's LSEs rely on the PARC's contracting personnel for local procurement of supplies and services. Each USAMC MSC deploys a team headed by a senior command representative, which may include CORs for that command's weapon systems contracts. The LSE staff may include legal and contracting advisors. The theater PARC's contracting support plan governs contracting personnel deploying with the LSE, just as it does all other Army contracting personnel operating within the theater.

### **Location of Contracting Elements**

The LSE normally locates near the TSC in the COMMZ, and may disperse teams throughout the theater to support systems and LOGCAP contractors.

### **CORPS**

The COSCOM provides support, including contracting support, to the corps force and to other units, Services, or allies as directed. The COSCOM provides contracting support through the corps contracting section or center in its headquarters, and through its various subordinate units.

### **MISSION**

The Corps Contracting Center in the COSCOM provides contracting support to corps non-divisional units, corps headquarters, and corps troops. The Chief of this section serves as the corps' contingency contracting chief, planning and managing all contingency contracting efforts within the corps' AO. The corps' contracting chief drafts the corps' contracting support plan, structuring contracting personnel from the COSCOM and its subordinate units, and



contracting personnel from divisions operating under the corps, in accordance with METT-TC and the PARC's theater contracting plan, to conduct contingency contracting operations in support of corps missions.

### **CONTRACTING STRUCTURE**

The COSCOM's Corps Contracting Center plans and provides contingency contracting support for the corps. The corps' contracting chief plans and manages contingency contracting within the corps' AO in accordance with the PARC's theater contracting support plan. The corps contingency contracting chief consolidates corps contracting functions, and structures corps contracting provided by personnel within the COSCOM and its subordinate units, and divisions under the corps, in accordance with METT-TC. Multiple units throughout a corps - COSCOM, corps support groups, Force Provider Companies, and select transportation detachments, as well as the division support command (DISCOM) within divisions - all have organic contingency contracting personnel who operate under the provisions of the theater and corps contracting support plans. Based on METT-TC considerations, the corps contracting chief may consolidate contracting personnel from units within the corps area, or employ units' contracting personnel as area procurement offices in direct support of their organic units.

### **LOCATION OF CONTRACTING ELEMENTS**

Organizationally, contracting elements within a corps are in multiple locations, both within the COSCOM and within the DISCOMs at division level. Contingency contracting personnel are organic to the COSCOM in its Headquarters, Headquarters Company (HHC), in CSG, in Force Provider Companies, and in select Transportation Detachments. Operationally, these elements will most likely be consolidated under the Corps Contracting Center, working for the corps contracting chief. Corps contracting operations may be consolidated with theater's, if directed by the PARC's theater contracting support plan.

### **DIVISION**

The DISCOM provides CSS to all organic units and elements attached to the division. Contracting support for a division resides in a small contracting support element in DISCOM headquarters.

### **MISSION**

The division contracting element locates and procures resources to support division operations by providing specified CS and CSS from commercial sources. When a division is designated the ARFOR, the division G4 plans and manages LOGCAP, and the division G5 plans and manages HNS, supporting divisional missions. The division contracting section works with these staff sections to help the commander coordinate available HNS, contracting, and LOGCAP resources.

## **CONTRACTING STRUCTURE**

The division contracting element is comprised of two contracting officers and a small support staff. If the division is operating independently, this element requires augmentation.

## **LOCATION OF CONTRACTING ELEMENT**

The division's contracting section, organic to the DISCOM, operates under the theater and Corps contracting support plans. Based on METT-TC, this section may be attached to the senior mission contracting organization and consolidated with other contracting assets, or may provide direct support for the division as an area procurement office within the division area.

## **OTHER CONTRACTING ELEMENTS**

Several commands with separate and distinct contracting authority operate on the battlefield. These include the USACE, which procures any real property or real estate required by deployed Army forces, the Military Traffic Management Command (MTMC) and DCMC/Defense Logistics Agency (DLA) activities, among others. The PARC coordinates with these activities and incorporates their functions into the contracting support plan. These elements must establish and maintain effective and constant dialogue with the PARC or senior contracting official to avoid competition between US Government agencies for the same resources.

## **SECTION II**

### **COMMAND AND CONTROL**

## **CONTROL AND MANAGEMENT OF CONTRACTING ORGANIZATIONS**

Control and management of contracting support in a theater is based on the principles of centralized management and decentralized execution. Contracting functions are always centralized to preclude units from competing with one another for the same scarce resources, and to ensure available resources are properly prioritized to the correct unit(s). The PARC structures available Army contracting assets per METT-TC to best support the Army's theater mission, then publishes this structure in the contracting appendix of the OPLAN or OPORD. Regardless of the composition of the theater – Army only, joint, or multinational – contracting support is controlled at the highest level. This optimizes the efficiency of the theater contracting effort, achieves economies of scale by consolidating contracting requirements, and minimizes or eliminates the competition for limited resources.

## **ARMY OR JOINT ENVIRONMENT**

The environment in which contracting elements operate varies according to the nature and scope of the mission being supported. The theater, or highest operational level organization deployed if lower than theater level, normally establishes a joint contracting organization. If the Army is designated the lead Service, with executive agency responsibilities to plan and administer contracting, a joint contracting structure is established, which includes all deployed contracting assets. The lead Service plans contracting support of the Joint Force, based on METT-TC. When designated Executive Agent for contracting, the PARC may consolidate contracting activities in-theater into joint contracting centers or offices, employing contingency contracting personnel from all Services in accordance with the theater contracting plan. Contracting personnel from the USACE, USAMC, DCMC, United States Transportation Command (USTRANSCOM), Program Management Offices, and other Defense agencies, maintain their procurement authority with their commands while working under the PARC's functional control in-theater. The PARC's functional control of theater contracting requires all contracting personnel in-theater to coordinate their actions with the PARC, usually through the ARB, and to follow the PARC's contracting support plan when procuring any goods and services within the theater. The contracting appendix in the OPLAN or OPORD stipulates this relationship, allowing these varying contracting efforts to complement rather than compete with one another. The Service leading theater contracting must also lead theater finance and resource management operations.

Senior commanders always want their direct support (DS) under their command. Each echelon from division to EAC has some type of organic contracting element in its organizational structure. The principle of centralized control and management of contracting elements seems to contradict this desire. However, centralization better serves the interests of the force as a whole. While management and control of contracting functions and authority is centralized, execution of the mission is decentralized as much as possible so that the approved contracting requirements at all levels can be promptly satisfied. The PARC determines, based on METT-TC, where the mission commander needs contracting personnel to best support the mission. Local vendor base considerations often drive this decision. The PARC often determines to leave contingency contracting personnel within their parent corps areas as area procurement offices to build on their habitual working relationships with the chain of command. A limited vendor base, or other considerations, may require partial or total consolidation of contingency contracting personnel to support the force. The PARC also displaces or redistributes contracting personnel and sections to support the ASCC's scheme of maneuver.

The hierarchy of the contracting support structure includes two important positions and a board to ensure centralized management of contracting functions. Because of their assigned authority, these directly influence the manner in which contracting support in the theater is organized, managed, and executed. These include the HCA, PARC, and the acquisition review board.

### **Head of the Contracting Activity**

The HCA, appointed by the ASA(ALT), is the senior Army contracting authority in-theater, and is the authority for the approval of contracting actions as stipulated by the various acquisition regulations. The HCA implements operational plans based on Army secretariat instructions, and is the appointing authority for the PARC, a contracting professional and his principal contracting assistant. The HCA is a general officer, normally the senior commander or his deputy, in the theater. In a joint environment, the CINC designates a lead Service for contracting, whose HCA oversees contracting functions for the Joint force per their Service doctrine; for the Army, the ASCC or the deputy would likely be that HCA. All Army contingency contracting authority in a theater flows from that HCA.

### **Principal Assistant Responsible for Contracting**

The PARC is designated by the HCA as the principal contracting assistant overseeing the daily activities of the theater's contracting operations. The PARC is sometimes referred to as commander of theater contracting. He and his staff are organic to the Army Service Component Command with direct access to the HCA.

The PARC is a key individual in a theater for controlling and managing Army contracting organizations and personnel. The PARC—

- Establishes policies and procedures for developing, reviewing, and managing the contingency contracting process.
- Coordinates intercommand agreements detailing contracting support relationships between major Army commands (MACOMs) and other Services. This would include approving joint services contracting, whether the function would be a means of supporting remote Army units or establishing a joint main element for contracting purposes.
- Establishes procedures governing the appointment of contracting officers and ordering officers. This helps to control the numerous contracting and ordering officers that deploy for an operation. Often these personnel are appointed by their respective command HCAs. When arriving in the theater the PARC revalidates, changes the approval levels or issues new authorizations for these personnel to perform their duties in the theater. Without it, they have no legitimate authority to commit the US government to award new contracts or order under existing contracts.
- Processes deviations, waivers and special authorizations.

- Reviews HNS, Status of Forces, and Assistance in Kind Agreements and any treaties to find the most effective source for requested supplies or services.
- Establishes and maintains liaison with contracting personnel deployed under the contracting authority of their parent organization. For example, the USACE supports the ASCC by deploying contracting personnel, who derive their contracting authority from the USACE's HCA, to acquire real property/real estate and administer ongoing construction contracts. These USACE contracting personnel establish liaison with the theater PARC, and coordinate their efforts with the theater PARC through the ARB. These personnel comply with the theater PARC's contracting support plan for any purchases they effect within the theater to ensure they don't rely on local support, such as line-haul transportation, the ASCC withholds to his control.
- Plans theater contingency contracting support for the CINC. Publishes this plan as an appendix to the logistics annex of the theater/mission OPLAN or OPORD.
- Designates theater controlled commodities for which procurement authority is reserved to the theater contracting office.
- Establishes and maintains liaison with USAMC and DCMCI personnel administering LOGCAP support to ensure seamless, cost-effective support for deployed forces.

### **Acquisition Review Board**

An ARB, also known as the CINC acquisition and contracting board, is appointed when joint operations are involved, and may be used during Army only missions to validate requirements. It consists of operations, logistics, host nation liaison, legal, resource management, and contracting members that review requirements for contracting support against the established contracting support plans and priorities established by the CINC/Commander, Joint task Force (CJTF)/ASCC. The CINC or senior commander in-theater convenes this board to provide input into the contracting priorities and allocation of resources. It screens requirements and determines whether or not they should be satisfied through contingency contract support, or through HNS, LOGCAP, or other prearranged sources, such as assistance in kind or cross-service agreements. The PARC's contracting support plan specifies criteria for actions requiring ARB review; two of the most common of which are dollar threshold of the procurement and designated categories of goods and services. Once established the ARB, or the CLPSB in Joint operations, establishes overarching policies that influence ARB functions.

### **CONTRACTING INFORMATION MANAGEMENT**

Managing contracting information in a contingency environment presents a challenge that is not present in a garrison setting. The Army is fielding the Standard Procurement System (SPS), a DOD standard system, to facilitate the management of purchases and produce the actual contract documents. Laptop computers using SPS or available software, and portable printers permit contracting personnel to function in austere environments.

Using the automated contracting system enables contracting personnel to--

- Assign and control purchase order and contract numbers, and assists in reconciling records with finance and the comptroller.
- Submit various required reports.
- Facilitate processing of contracting actions and the inclusion of the appropriate text for contract clauses and solicitation provisions.

Until SPS is fully fielded, contracting elements use other automated information management capabilities. A wide variety of software is required to accomplish the many facets of contracting. There is currently no DOD-standard integrated software system to support contingency contracting officer functions. Experience from past operations has taught that at a minimum, contingency contracting elements must have word processor, spreadsheet, database, form generation, presentation graphics, and communication capability. There are several commercial off-the-shelf packages that provide most of these under a single umbrella-type program.

With currently available and emerging information management systems, contingency contracting elements have the capability to expeditiously respond to contracting requirements. Regardless of automated systems, contingency contracting personnel must retain the capability to operate manually, deploying with appropriate forms, regulations, clauses and supplies to establish and maintain contracting functions in austere sites, or in the event of failure of their automated systems.

## **CONTROL AND MANAGEMENT OF CONTRACTORS**

Controlling and managing contractors on the battlefield presents an additional challenge to the theater commander. Where they are located in the theater and their movement has an impact on the mission of the military forces they support. In general, there are three different types of contractors operating on the battlefield, theater support contractors, external support contractors, and systems contractors. Commanders plan for, and manage, each category of contractors differently. FM 100-XX, *Contractors on the Battlefield*, discusses these categories in greater detail.

### **THEATER SUPPORT CONTRACTORS**

Theater support contractors support deployed operational forces under pre-arranged contracts, or contracts awarded from the mission area, by contracting officers serving under the direct contracting authority of the theater PARC. Theater support contractors provide goods, services and minor construction, usually from the local vendor base, to meet the immediate needs of operational commanders. Immediate contracts involve deployed contracting officers procuring goods, services and minor construction, usually from the local vendors or nearby offshore sources, immediately before and during the operation itself. Theater support contracting occurs in accordance with the PARC's theater contracting plan, an appendix to the OPLAN or OPORD, which governs all procurement of goods, services and minor construction within the area of operations.

### **EXTERNAL SUPPORT CONTRACTORS**

External support contractors provide support for deployed operational forces that is separate and distinct from either theater support or systems contractors. They may be pre-arranged contracts, or contracts awarded during the contingency itself to support the mission. Contracting officers who award and administer external support contracts retain unique contracting authority from organizations other than the theater PARC or systems offices under a program manager (PM), program executive officer (PEO) or USAMC. USAMC for example, provides commercial depot support through contracts awarded by its commodity commands. Other organizations providing external support contractors include the LOGCAP Program Office, which through LSEs administers their pre-arranged umbrella contract, commonly referred to as LOGCAP; USTRANSCOM commands, which provide Civil Reserve Air Fleet (CRAF) and commercial sealift supporting the theater; and the USACE, which procures leased real property and real estate. The LOGCAP Program Office's umbrella contract, activated only upon DA DCSLOG approval, supports contingency operations and is administered through the in-theater LSE. These organizations retain contracting authority for those specific functions from their parent commands. Commanders and their staffs include these commands in their mission planning, and each should include support appendices in the applicable staff section annex to the OPLAN or OPORD. For example, the staff engineer coordinates USACE procurement of real property and real estate; the Joint Force transportation planner coordinates with USTRANSCOM commands to monitor their assets. External support contractors establish and maintain liaison with the theater PARC as they conduct their unique support missions. They procure goods and services they require within the theater in accordance with the PARC's theater contracting plan, published in the OPLAN or OPORD.

### **SYSTEMS CONTRACTORS**

Systems contractors support deployed operational forces under pre-arranged contracts awarded by PM's, PEO's, and USAMC to provide specific materiel systems throughout their life cycle, during both peacetime and contingency operations. These systems include, but are not limited to, vehicles, weapon

systems, aircraft, command and control infrastructure, and communications equipment. Contracting officers working for the PMs/PEOs and USAMC subordinate commands administer their systems contractors' functions and operations via their contracts. USAMC and the individual PM/PEO maintain contracting authority for these contracts, planning required support for their systems and coordinating that support with the supported CINC's planning staff. Systems contractors establish and maintain liaison with the PARC or the senior Army contracting official in the theater as specified in the theater contracting plan. These contractors procure goods and services they require within the theater in accordance with the PARC's theater contracting plan, published in the OPLAN or OPORD.

### **SECTION III**

#### **CONTINGENCY CONTRACTING PARTICIPANTS**

##### **THE ACQUISITION TEAM**

Contracting support for any operation is not the sole responsibility of the contracting organizations in the theater. The responsibility for successful contracting support is shared by a number of participants, each of whom plays an important role in the process. All must work together to make contingency contracting a responsive force multiplier.

##### **COMMANDER**

The commander is the key participant in the contracting support process, responsible for contracting support within his area of operation. He ensures that contracting guidance, plans, and policies are integrated into his operations planning and execution, establishes priorities for using contracting, and allocates the resources available. Commanders bear responsibility for the contractor personnel operating in their areas.

##### **COMPTROLLER/RESOURCE MANAGER**

The comptroller/RMO prepares and maintains the budget for the command. He certifies funds on purchase requests prior to submission to the contracting element, and approves and provides written certification of funds availability for all purchase requests for locally purchased goods and services. Contracting and RMO often locate in close mutual proximity to expedite purchase request processing.

##### **STAFF PROPONENT**



Staff proponents are responsible for contracting support requirements within their functional areas. They provide the technical expertise and oversight for requirements within their responsibility, and are responsible for approving purchase requests prior to their submission to the contracting element.

## **REQUIRING ACTIVITY**

The requiring activity is the unit, activity, or organization that identifies what is needed and when it is needed. In support of this identified need, it prepares the purchase request and the associated statement of work (a detailed description of what is needed), estimates the cost, and obtains the certification of funds from the comptroller/resource manager. Once the requirement has been contracted for, the requiring activity receives the supplies and services, and ensures that what was provided is what was requested. The requiring unit provides personnel as required by the contracting officer to serve as the COR.

## **CONTRACTING OFFICER**

The contracting officer is trained, certified and warranted to acquire requested supplies and services, and is the only individual legally authorized to financially obligate the US government above the micropurchase threshold. He is responsible for ensuring that all applicable laws and regulations are complied with. The contracting officer buys what the requiring activity specifies, and ensures that what is specified is what is provided.

## **CONTINGENCY CONTRACTING OFFICER**

A contingency contracting officer (CCO) is a special contracting officer, defined by the duties he performs. Contingencies are by their very nature emergency situations such as major theater war, small-scale contingencies, peacekeeping, disaster relief, and humanitarian relief. The CCO faces physical danger, extreme mission urgency, and long work periods. Additionally, he deploys on short notice and operates in locations he knows little about, dealing with contractors who often have little or no knowledge of US government contracting practices, and working without the robust support of a home station contracting office.

## **LEGAL ADVISOR**

Legal support for the contracting process is critical for ensuring that contract actions are performed within legal limits. The Staff Judge Advocate provides contract law advice throughout the entire contracting process.

## **FINANCE AND PAYING AGENTS**

Finance support for contracting operations is a critical element of the acquisition process; it involves the actions necessary for the timely and accurate payment of contractors for contracted supplies and services. This support is provided through finance elements in the theater. Another key responsibility of the finance element is training, supporting, and supervising the paying agents who pay vendors who provide the supplies and services. Contracting personnel are prohibited from disbursing funds. Finance personnel, or their designated paying agents, must deploy with contracting personnel.

Paying agents, formerly referred to as Class "A" (disbursing) agents, are individuals nominated by their command and appointed by the finance element to make cash payments to vendors for supplies and services acquired through contract procedures. Appointments as paying agents are normally limited to commissioned officers, warrant officers and senior noncommissioned officers (NCOs), normally at least staff sergeants. These individuals have no contracting authority; they are simply disbursement agents who perform their duties within the specified limits of their appointment orders. Paying agents cannot serve simultaneously as ordering officers or CCOs.

### **ORDERING OFFICER**

An ordering officer is an individual, nominated by his command and appointed by the chief of the theater/mission contracting element, authorized to make purchases up to a specified limit. This individual uses a variety of purchase methods such as imprest funds, calls against Blanket Purchase Agreements, SF44 purchases, and government credit card transactions to accomplish his duties. Appointments as ordering officers, like the paying agents, are normally limited to commissioned officers, warrant officers, and senior NCOs. Neither property book officers or paying agents can be ordering officers because of the potential for conflicts of interest.

### **RECEIVING OFFICIAL**

Commanders designate an official, normally from a supply activity or the unit requiring commercial support, to accept, account for and distribute locally procured goods and equipment. The requiring activity identifies their receiving official to the contracting officer on their purchase request. The receiving official accepts vendor delivery, then forwards receiving reports to the contracting officer to verify delivery. Contracting officers need valid receiving reports before a vendor may be paid.

### **CONTRACTING OFFICER'S REPRESENTATIVE**

The COR is an individual designated by the command and normally a member of the requiring activity that is appointed by the contracting officer to act as his authorized representative in the technical monitoring or administration of a contract. The COR performs his duties within the specific limits stated in his

appointment orders. The COR has no authority to direct changes that affect price, quantity, quality, delivery or other terms or conditions of the contract. His responsibility is to monitor and enforce the contract as written, and to document receipt of goods and services so the contractor can receive payment.

### **PROPERTY BOOK OFFICER**

The PBO is an individual designated to maintain accountability for government property; this accountability is formally recorded in a property book. A PBO may be a commissioned officer, warrant officer, NCO, or a qualified DOD civilian. The PBO is the initial approval point for contracting requests that involve nonexpendable supplies and equipment. He determines if items requested exist within the supply system or are eligible for contracting. The PBO also ensures that proper accountability is established after an item has been purchased or leased through contracting.

### **GOVERNMENT-WIDE COMMERCIAL PURCHASE CARD HOLDERS**

The GCPC is an instrument used to purchase supplies and services up to an established limit. It can also be used as a method of payment by the CCO. Because merchant acceptance of the GCPC varies widely outside the US, contingency planning should determine whether GCPC is useful in specific instances. As a general rule, commanders should anticipate needing both GCPC and cash payments by finance personnel or pay agents to support required contingency contracting operations.

GCPC holders are individuals designated by the command to make purchases using procedures similar to those for ordering officers. These individuals are appointed by the contracting organization and are governed by contracting rules and established limits on the value of supplies and services that may be bought using GCPC. The theater PARC determines who is eligible to be a cardholder, but at a minimum, CCOs and ordering officers normally are cardholders.

### **THE JOINT/MULTINATIONAL ENVIRONMENT**

Contingency operations almost always involve not only Army forces, but also those of the other Services, and our allies. Because of the variety of forces involved, contracting support assumes an entirely different complexion than it has when only Army forces are involved. Contracting elements become more diverse and multidimensional when operating in a joint or multinational environment. The overriding principle that governs contracting support in such an environment is consolidation of contracting assets to achieve maximum operational efficiency and economy.

### **JOINT COMMANDER**

A CINC exercises combatant command authority (COCOM) over assigned forces, including directive authority for logistics. This gives him the ability to shift support resources within the theater. In a contingency environment, the logistics authority of a CINC enables him to use all capabilities of all forces assigned to his command as necessary for the accomplishment of the mission. This authority includes contracting support and allows him to utilize his contracting resources in a manner he feels most appropriate for the situation. There are a number of ways in which he can direct that contracting support be provided, ranging from a consolidated, centrally managed joint contracting activity (managed by a single Service), to contracting support being provided separately by each Service. Regardless of the option used, the CINC or a CJTF determines how contracting support is organized and structured within the theater of operations.

The senior contracting official from the designated lead Service for theater contracting publishes the theater/joint force contracting support plan as an appendix to the logistics annex to the OPOD and OPLAN. This plan governs theater contracting structure, locations, command relationships, responsibilities, and any restrictions such as commodities reserved for procurement by theater contracting.

## **INTER/INTRASERVICE RELATIONSHIPS**

Within the Army, contracting support is generally a straightforward process of identifying requirements, obtaining funding and approval to contract, and the acquiring of the supplies and services by the contracting activity. Numerous Army and Defense Department contracting organizations provide contracting support for deployed forces.

In a joint environment the process remains essentially the same, involving organizations with varying approaches to the objective of obtaining supplies and services as quickly as possible. In a joint or multinational environment, it is very possible that the contracting assets of another Service will be the ones providing the contracting support. Whoever is designated the lead Service for contracting support, Army, Navy, Air Force, Marine Corps, DLA, USACE and MTMC contracting personnel will work together within the framework of the OPOD's contracting appendix to support the JFC's missions. US contracting personnel likewise often find themselves supporting United Nations or North Atlantic Treaty Organization (NATO) missions, requiring them to utilize different forms and regulations, and to educate the supported commanders of those new procedures.

## **NONGOVERNMENTAL ORGANIZATIONS/PRIVATE VOLUNTEER ORGANIZATIONS**

Depending on the nature of the contingency, nongovernmental organizations (NGO) and private volunteer organizations (PVO) often play key roles on or near the military area of operations. These organizations operate with widely varying social and political agendas, and with priorities that often differ

markedly from those of the ground force commander. These organizations, outside of the PARC's authority, often compete with US forces for scarce commercial support. The PARC coordinates with these organizations through the G5, and through the civil military operations center, normally established and operated by US civil affairs personnel. This coordination helps minimize competition, and provides an avenue to exchange information about local market conditions. These organizations can be sources of information to assist contracting organizations in the performance of their missions, or might themselves need support.

## **MULTINATIONAL FORCES**

The US has historically participated in military operations with allied nations to accomplish its missions. This trend continues, but in recent years, with operations like Operation JOINT ENDEAVOR in Bosnia and Operation RESTORE HOPE in Somalia, integration of multinational forces is occurring at a much lower command level than in the past. Multinational operations are now being conducted at the operational and even tactical levels.

In theory, contracting support remains a national responsibility during multinational operations, with each participating nation being responsible for contracting support for its own forces. In practice, US forces often provide unique support to other participating nations, or to contract in nations with business practices that differ markedly from those in the US. Close liaison between US contracting personnel, the RMO, civil affairs, legal and local embassy officials is critical to procuring required goods and services in compliance with US laws and regulations, and the local customs and business practices.

## **OTHER GOVERNMENTAL AGENCIES**

The Federal Emergency Management Agency (FEMA) often heads domestic disaster relief efforts, which Army contracting personnel might support. In these scenarios, Army personnel operate under a Defense Cooperation Officer (DCO) who coordinates DOD efforts with those of other agencies, and comply with FEMA funding procedures. Army contracting personnel also work with state and local government officials and contracting offices during these missions. The State Department routinely requests DOD support for humanitarian civil assistance and exercise-related construction (ERC) missions.